

Remarks

The non-final Office Action dated March 11, 2008 indicated that claims 1-3 and 5-7 stand rejected under U.S.C. § 103(a) over Takabayashi (U.S. Patent No. 6,377,083) in view of McGlinchey (U.S. Patent No. 5,467,009). The Office Action also notes an objection to claim 7 and that claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant respectfully traverses the § 103(a) rejection of claims 1-3 and 5-7 because the cited combination does not correspond to the claimed invention which includes, for example, aspects directed to the reference voltage being set such that the voltage supplied to the power input of a logic circuit is equal to the predetermined maximum operating voltage of the logic circuit. The Office Action erroneously asserts that Takabayashi's reference voltage V_{ref} used by comparator 21 corresponds to the claimed reference voltage. *See, e.g.*, Figures 2 and 4. In actuality, Takabayashi teaches that comparator 21 uses reference voltage V_{ref} to determine when the voltage drop exceeds the allowable range thereby indicating that the power supply voltage V_{dd} needs to be corrected. *See, e.g.*, Col. 5:18-40 and Col. 7:37-48. For example, detection signal V_{out} is low logic level when the voltage drop occurs, and detection signal V_{out} is high logic level when the voltage drop is within the allowable range which indicates that the power supply voltage is within the allowed range for the device. As such, Takabayashi does not set reference voltage V_{ref} such that the voltage supplied to the power input of one of logic cells 1 is equal to the predetermined maximum operating voltage of that logic cell. In other words, Takabayashi does not set reference voltage V_{ref} equal to the predetermined maximum operating voltage of the logic circuit as in the claimed invention. The addition of the cited portions of the McGlinchey reference fails to address the above discussed deficiencies of the Takabayashi reference. Thus, the cited combination does not correspond to the claimed invention. Accordingly, the § 103(a) rejection of claims 1-3 and 5-7 is improper and Applicant requests that it be withdrawn.

Applicant further traverses the § 103(a) rejection of claims 1-3 and 5-7 because the modification of the Takabayashi reference proposed by the Office Action defeats a stated purpose of Takabayashi. According to M.P.E.P. § 2143.01, "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."

See also In re Gordon, 733 F.2d 900 (Fed. Cir. 1984). In this instance, the Office Action proposes to replace Takabayashi's comparator 21 with McGlinchey's window comparator 2 (*see, e.g.*, Figure 1) "in order to controlling the voltage supplied to the power input of logic circuit to be equal to or not exceeding a predetermined maximum operating voltage." However, a stated purpose of Takabayashi is to provide a device and method for detecting a voltage drop of a power supply in an integrated circuit and then correcting the detected voltage drop. *See, e.g.*, Col. 1:48-53. Applicant submits that modifying Takabayashi in the manner proposed by the Office Action would render Takabayashi's detection circuit 7 unable to detect a voltage drop of the power supply thereby defeating Takabayashi's stated purpose.

Moreover, Applicant submits that the Office Action's proposed modification would change the principle of operation of the Takabayashi reference such that the power supply voltage would no longer be controlled responsive to detecting a voltage drop (*see, e.g.*, Col. 5:18-40 and Col. 7:37-48). *See, e.g.*, M.P.E.P. § 2143.01(VI) ("If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.").

In view of the above, there is no motivation for the skilled artisan to modify the Takabayashi reference in the manner proposed by the Office Action. Accordingly, the § 103(a) rejection of claims 1-3 and 5-7 is improper and Applicant requests that it be withdrawn.

Applicant further traverses the § 103(a) rejection of claims 2-3 and 6-7 because the Office Action improperly fails to address various aspects of these claims. Specifically, the Office Action erroneously asserts that aspects of claims 2-3 and 6-7 (*e.g.*, those directed to the location at which the power voltage is measured) merely recite the manner in which the claimed apparatus is intended to be employed. First, Applicant notes that claims 2-3 are method claims. Thus, the Office Action has improperly failed to address the various aspects of claims 2-3. Regarding claims 6-7, Applicant submits that these claims recite where the sensing point is located (*e.g.*, at the power input of the logic circuit known to be the first to be damaged by a power voltage increase), not the manner in which the claimed system/circuit is intended to be employed. In an effort to facilitate prosecution, Applicant

has amended claims 5-7 to replace the word "placed" with "located." The cited portions of the Takabayashi reference do not teach that the sensing point is located at the power input of the logic circuit known to be the first to be damaged by a power voltage increase. *See, e.g.,* Figures 2 and 4; Col. 5:18-40; and Col. 7:37-48. Accordingly, the § 103(a) rejection of claims 2-3 and 6-7 is improper and Applicant requests that it be withdrawn.

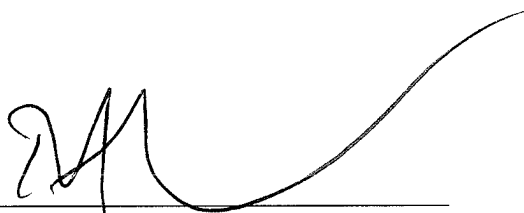
In response to the objection to claim 7, Applicant has amended the claim to remove the redundant word comprising as suggested by the Examiner. Thus, Applicant requests that the objection to claim 7 be removed.

Applicant has added new claims 8-17 which depend from one of claims 1 and 5. Applicant submits that claims 8-17 are allowable over the cited references for at least the reasons discussed above in relation to the § 103(a) rejection of claims 1 and 5. Applicant notes that claims 14-17 depend from claim 4, which was indicated by the Office Action as being allowable over the cited references. Thus, Applicant submits that, as is consistent with the instant Office Action, claims 14-17 should be allowable over the cited references.

In view of the remarks above, Applicant believes that each of the rejections/objections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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